

At an I.A.S. Trial Term, Part 9 of the Supreme Court of the State of New York, held in and for the County of Kings, at the Courthouse, located at Civic Center, Borough of Brooklyn, City and State of New York, on the 26 day of September 2019

P R E S E N T :

Hon. Silber
Justice

911 Realty Corp Plaintiff(s)

Cal. No. 70 + 71
Index No. 509105/2019

- against -

Arif Kay Karkov
and Royal A+K Realty Group Inc. Defendant(s)

The following papers numbered 1 to 4 read on this motion

Papers Numbered

Notice of Motion - Order to Show Cause

and Affidavits (Affirmations) Annexed

Answering Affidavit (Affirmation)

Reply Affidavit (Affirmation)

Affidavit (Affirmation)

Pleadings - Exhibits

Stipulations - Minutes

Filed Papers

1, 234

After oral argument, Plaintiff's motion to admit pro hac vice is denied as academic. (ms #1)

Defendant's cross motion to dismiss this action pursuant to CPLR 3211(a)(4) is hereby granted (ms #2). Plaintiff has a pending action in federal court.*

Additionally, Plaintiff has failed to add a

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MG

MD

Motion Seq. #

1, 2

necessary party, Paul Fine, in this action for a declaratory judgment declaring that the deed from Mr. Fine to A Royal should be canceled, and declared void.

ENTER

J.S.C.

Hon. Debra Silber
Justice Supreme Court

EJV-rev 11-04

The clerk of the court is directed to cancel the Notice of Pendency filed 4/24/19 against Block 4948 Lot 82.

EXHIBIT 9

* Karkov v Karkov, 19 cv 2521 (USDC, EDNY) regarding, inter alia, this property.